

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F034739      People v. Moody, Jr.**

The judgment is affirmed with modifications. Dibiaso, Acting P.J.

We concur: Buckley, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034061      Marderosian et al. v. County of Madera**

The judgment is affirmed. Vartabedian, Acting P.J.

We concur: Harris, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F035375      Banner v. San Joaquin Community Hospital**

The judgment is affirmed. Buckley, J.

We concur: Dibiaso, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034164      People v. Villalpando**

The judgment, both as to conviction and sentence, under count 3 (Pen. Code, 290) is reversed; retrial is barred. The judgment of conviction as to count 1 is affirmed. The judgment of conviction as to count 2 is affirmed. The sentences imposed with respect to counts 1 and 2 are vacated. The matter is remanded to the trial court for resentencing as to counts 1 and 2. Dibiaso, Acting P.J.

We concur: Buckley, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F033660      Matt Zimmer v. Save Mart Supermarkets**

The judgment is affirmed. Ardaiz, P.J.

I concur: Dibiaso, J.; I dissent: Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F033614      People v. Nijjar**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F032791      People v. Cruz**

The judgment is affirmed. Harris, J.

We concur: Ardaiz, P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F035127      People v. Jard**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F035127      People v. Jara**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F037263      In re Devin H. et al., Minors**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F037263      In re Devin H. et al., Minors**

The orders denying the section 388 petition and the motion to reconsider the issue are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F033813      People v. Banner**

The judgment is affirmed. Harris, J.

We concur: Ardaiz, P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]